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प्राधिकार से प्रकाशित

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इस भाग में मूल पृष्ठ संख्या दी जाती है जिससे कि यह छल्ले संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on 13th August, 1976:—

BILL NO. 68 OF 1976

A Bill further to amend the Representation of the People Act, 1950.

Be it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:—

1. This Act may be called the Representation of the People (Amendment) Act, 1976.

Short title.

43 of 1950. 2. For sub-section (5) of section 4 of the Representation of the People Act, 1950 (hereinafter referred to as the principal Act), the following sub-section shall be substituted, namely:—

Amendment of section 4.

76 of 1972. “(5) Save as provided in sub-section (4), the extent of all parliamentary constituencies except the parliamentary constituencies in the Union territory of Arunachal Pradesh shall be as determined by the orders of the Delimitation Commission made under the provisions of the Delimitation Act, 1972 and the extent of the parliamentary constituencies in the Union territory of Arunachal Pradesh shall be as determined by the order of the Election Commission under the provisions of the Government of Union Territories Act, 1963.”

20 of 1963.

3. For sub-section (3) of section 7 of the principal Act, the following sub-section shall be substituted, namely:—

Amendment of section 7.

“(3) Subject to the provisions of sub-section (3) of section 7A, the extent of each assembly constituency in all the States and Union territories except the assembly constituencies in the Union territory

of Arunachal Pradesh shall be as determined by the orders of the Delimitation Commission made under the provisions of the Delimitation Act, 1972 and the extent of each assembly constituency in the Union territory of Arunachal Pradesh shall be as determined by the order of the Election Commission made under the provisions of the Government of Union Territories Act, 1963." 76 of 1972. 20 of 1963.

Amend-
ment of
section 8.

4. In section 8 of the principal Act,—

(i) in sub-section (1), for the words and figures "the Delimitation of Parliamentary and Assembly Constituencies Order, 1966" the words and figures "the Delimitation of Parliamentary and Assembly Constituencies Order, 1976" shall be substituted;

(ii) after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) The consolidation under sub-section (1) of the orders referred to in sub-section (5) of section 4 or, as the case may be, sub-section (3) of section 7 shall not, as provided in sub-section (5) of section 10 of the Delimitation Act, 1972, affect the representation in, and the territorial constituencies of, the House of the People or the Legislative Assembly of the State existing on the date of publication in the Gazette of India of any such order or orders as may be relevant." 76 of 1972.

Amend-
ment of
section 9.

5. In clause (a) of sub-section (1) of section 9 of the principal Act, for the words and figures "the Delimitation of Parliamentary and Assembly Constituencies Order, 1966", the words and figures "the Delimitation of Parliamentary and Assembly Constituencies Order, 1966, or, as the case may be, the Delimitation of Parliamentary and Assembly Constituencies Order, 1976" shall be substituted.

Amend-
ment of
section 28.

6. For sub-section (3) of section 28 of the principal Act, the following sub-section shall be substituted, namely:—

"(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

Substi-
tution of
new
Schedules
for the
First
Schedule
and the
Second
Schedule

7. For the First Schedule and the Second Schedule to the principal Act, the following Schedules shall be substituted, namely:—

"THE FIRST SCHEDULE"

(See section 3)

Allocation of seats in the House of the People

Name of the State/Union territory	Number of seats in the House as constituted on 1-1-1973			Number of seats in the House as subsequently constituted		
	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes
1	2	3	4	5	6	7
I. STATES :						
1. Andhra Pradesh	41	6	2	42	6	2
2. Assam	14	1	2	14	1	2
3. Bihar	53	7	5	54	8	5
4. Gujarat	24	2	3	26	2	4
5. Haryana	9	2	..	10	2	..
6. Himachal Pradesh	4	1	..	4	1	..
7. Jammu and Kashmir	6	..	..	6	..	..
8. Karnataka	27	4	..	28	4	..
9. Kerala	19	2	..	20	2	..
10. Madhya Pradesh	37	5	8	40	5	8
11. Maharashtra	45	3	3	48	3	3
12. Manipur	2	..	1	2	..	1
13. Meghalaya	2	..	2	2	..	..
14. Nagaland	1	..	..	1	..	..
15. Orissa	20	3	5	21	3	5
16. Punjab	13	3	..	13	3	..
17. Rajasthan	23	4	3	25	4	3
18. Sikkim . . . . .	..	..	..	1	..	..
19. Tamil Nadu	39	7	..	39	7	..
20. Tripura	2	..	1	2	..	1
21. Uttar Pradesh	85	18	..	85	18	..
22. West Bengal	40	8	2	42	8	2

Name of the State/Union territory	Number of seats in the House as constituted on 1-1-1973			Number of seats in the House as subsequently constituted		
	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes
1	2	3	4	5	6	7
II. UNION TERRITORIES :						
1. Andaman and Nicobar Islands	1	..	..	1	..	..
2. Arunachal Pradesh	1	..	1	2	..	..
3. Chandigarh	1	..	..	1	..	..
4. Dadra and Nagar Haveli	1	..	1	1	..	1
5. Delhi	7	1	..	7	1	..
6. Goa, Daman and Diu	2	..	..	2	..	..
7. Lakshadweep	1	..	1	1	..	1
8. Mizoram	1	..	1	1	..	..
9. Pondicherry	1	..	..	1	..	..
TOTAL	522	77	41	542	78	38

THE SECOND SCHEDULE

(See sections 7 and 7A)

Total number of seats in the Legislative Assemblies

Name of the State/Union territory	Number of seats in the Legislative Assembly as constituted on 1-1-1973			Number of seats in the Legislative Assembly as subsequently constituted		
	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes
1	2	3	4	5	6	7
I. STATES :						
1. Andhra Pradesh	287	40	11	294	39	11
2. Assam	114	8	10	126	8	16
3. Bihar	318	45	29	324	46	28

Name of the State/Union territory	Number of seats in the Legislative Assembly as constituted on 1-1-1973			Number of seats in the Legislative Assembly subsequently constituted		
	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes
I	2	3	4	5	6	7
4. Gujarat . .	168	11	22	182	12	25
5. Haryana . .	81	15	..	90	17	..
6. Himachal Pradesh .	68	16	3	68	15	3
7. Jammu and Kashmir*						
8. Karnataka . .	216	29	2	224	29	2
9. Kerala . .	133	11	2	140	12	2
10. Madhya Pradesh .	296	39	61	320	42	64
11. Maharashtra . .	270	15	16	288	17	17
12. Manipur . .	60	1	19	60	1	19
13. Meghalaya . .	60	..	50	60	..	..
14. Nagaland . .	52	..	..	60	..	..
15. Orissa . .	140	22	34	147	22	34
16. Punjab . .	104	23	..	117	29	..
17. Rajasthan . .	184	31	21	200	32	24
18. Sikkim . .	..	..	..	32	1	1**
19. Tamil Nadu . .	234	42	2	234	42	2
20. Tripura . .	60	6	19	60	7	17
21. Uttar Pradesh .	425	89	..	425	89	1
22. West Bengal . .	280	55	16	294	59	17

II. UNION TERRITORIES :

1. Arunachal Pradesh .	..	..	..	30	..	..
2. Goa, Daman and Diu	30	..	..	30	..	..
3. Mizoram . .	30	..	..	30	..	..
4. Pondicherry . .	30	5	..	30	5	.."

*Under the Constitution of Jammu and Kashmir, the number of seats in the Legislative Assembly of that State excluding the 24 seats earmarked for Pakistan-occupied territory is 76 out of which 6 seats have been reserved for the Scheduled Castes in pursuance of the Jammu and Kashmir Representation of the People Act, 1957.

**Reserved for Sanghas,

STATEMENT OF OBJECTS AND REASONS

The Delimitation Commission appointed under the Delimitation Act, 1972, has completed the work of final determination of the number and the extent of Parliamentary and Assembly constituencies in respect of all States and Union territories except the Union territory of Arunachal Pradesh. Under the provisions of the Government of Union Territories (Amendment) Act, 1975, the Election Commission has issued its Order determining the extent of the Parliamentary constituencies and Assembly constituencies in respect of that Union territory.

Sections 8 and 9 of the Representation of the People Act, 1950 (43 of 1950) empower the Election Commission to consolidate all Orders of delimitation into a single Order and to maintain the said Order up-to-date. Those sections and section 4, section 7 and the First Schedule and the Second Schedule to that Act require amendment so as to bring the position in regard to the number of seats and the reference to Orders of Delimitation up-to-date and to enable the Election Commission to issue a new consolidated Order.

The Bill seeks to achieve the above object.

NEW DELHI;

H. R. GOKHALE.

The 21st July, 1976.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill provides that the extent of parliamentary constituencies in the Union territory of Arunachal Pradesh shall be as determined by the order of the Election Commission under the provisions of the Government of Union Territories Act, 1963 (20 of 1963).

Clause 3 of the Bill provides that the extent of assembly constituencies in the Union territory of Arunachal Pradesh shall be as determined by the order of the Election Commission made under the provisions of the Government of Union Territories Act, 1963 (20 of 1963).

Clauses 4 and 5 of the Bill empower the Election Commission to consolidate all orders relating to delimitation of parliamentary and assembly constituencies into one single order to be known as the Delimitation of Parliamentary and Assembly Constituencies Order, 1976, and to maintain them up-to-date.

Clause 6 of the Bill substitutes the rule laying provision in section 28 of the Representation of the People Act, 1950, so as to bring it in line with the present pattern of the corresponding provision in recent legislation.

2. All the above are either matters of procedure or of detail. The delegation of legislative power is, therefore, of a normal character.

BILL NO. 69 OF 1976

A Bill further to amend the Contingency Fund of India Act, 1950.

BE it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:—

Short
title.

1. This Act may be called the Contingency Fund of India (Amendment) Act, 1976.

Amend-
ment of
section 2

2. In section 2 of the Contingency Fund of India Act, 1950,—

49 of 1950.

(a) in the opening paragraph, for the words "thirty crores of rupees", the words "fifty crores of rupees" shall be substituted;

(b) the proviso shall be omitted.

STATEMENT OF OBJECTS AND REASONS

Under articles 267(1) and 283(1) of the Constitution, the Contingency Fund of India Act, 1950 was enacted providing for the establishment of the Contingency Fund of India and for the custody of such Fund and for the payment of moneys into and the withdrawal of moneys from it. Under section 2 of that Act, as amended by the Contingency Fund of India (Amendment) Act, 1970, the corpus of the Fund is thirty crores of rupees. Consequent on the increase in the size of the annual budget, the need for augmenting the corpus of the Fund has been felt. It is proposed to raise the corpus of the Fund from thirty crores of rupees to fifty crores of rupees to meet unforeseen expenditure.

2. The Bill seeks to achieve the above object.

NEW DELHI;

The 29th July, 1976.

SUSHILA ROHATGI.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117
OF THE CONSTITUTION OF INDIA

[Copy of letter No. F.5(3)-B(SE)/76, dated the 6th August, 1976 from Shrimati Sushila Rohatgi, Deputy Minister in the Ministry of Finance to the Secretary-General, Lok Sabha.]

The President of India having been informed of the subject matter of the proposed Bill to amend the Contingency Fund of India Act, 1950 recommends under article 117(1) and article 117(3) of the Constitution, the introduction in, and consideration by Lok Sabha of the Contingency Fund of India (Amendment) Bill, 1976.

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for the raising of the corpus of the Contingency Fund of India from Rs. 30 crores to Rs. 50 crores by transfer of an additional amount of Rs. 20 crores from the Consolidated Fund of India to the Contingency Fund of India. The Bill thus involves a withdrawal of Rs. 20 crores from the Consolidated Fund of India but the actual expenditure will be incurred only when advances are drawn from the Contingency Fund for meeting unforeseen expenditure pending authorisation by law under article 115 or article 116 of the Constitution.

No recurring expenditure is involved.

S. L. SHAKDHER,
Secretary-General.